

**A SUBSTITUTE ORDINANCE
BY ZONING COMMITTEE**

**AUTHORIZING THE ADOPTION OF A
DIGITAL ZONING MAP FOR THE CITY OF
ATLANTA, GEORGIA; AND FOR OTHER
PURPOSES.**

WHEREAS, the city is hereby divided into zoning districts, and is shown on the official zoning map; and

WHEREAS, said map is composed of a series of sheets in the official zoning map, properly identified as such, and shall be the official record of zoning status of areas within the city; and

WHEREAS, the official zoning map, properly attested, shall be on file and available for public inspection in the office of the municipal clerk, and shall be the final authority as to zoning status of lands; and

WHEREAS, the zoning ordinance states, that if the official zoning map becomes damaged, lost or difficult to interpret by reason of the nature or number of changes, the council may by ordinance authorize a new official zoning map which shall supersede the prior map; provided, however, that if there is uncertainty about the zoning status of any area because of the condition of the map or any part thereof, such action shall take the form of an amendment to the zoning ordinance, and shall resolve the uncertainty; and

WHEREAS, up until 2005, the City's zoning map has been created and maintained manually by primarily one staff person in the Bureau of Planning. In 2005, as a part of its efforts to overhaul the building permit process, the City designated the modernization and confirmation of land records as a priority. The completion of this task provided the platform for the initial translation of manually maintained land data into a digital format; and

WHEREAS, the Bureau of Planning has established a Geographic Information System (GIS) Division which has completed a detailed comparison of Fulton County and DeKalb County GIS maps and maps related to Hartsfield-Jackson airport to the city's official mylar maps and the data contained in the City's land database, KIVA, system in order to validate current zoning; and

WHEREAS, the Bureau of Planning has transitioned the "paper" maps to a digital format, which will be more efficient and will better serve the City and the public; and

CODE OF ORDINANCES City of ATLANTA, GEORGIA Codified through Ord. No. 2006-78, enacted Nov. 14, 2006. (Supplement No. 35) \ PART III CODE OF ORDINANCES—LAND DEVELOPMENT CODE \ Part 16 ZONING* \ CHAPTER 2. OFFICIAL ZONING MAP AND APPLICATION OF REGULATIONS

Sec. 16-02.008. Replacement of official zoning map.

CODE OF ORDINANCES City of ATLANTA, GEORGIA Codified through Ord. No. 2006-78, enacted Nov. 14, 2006. (Supplement No. 35) \ PART III CODE OF ORDINANCES—LAND DEVELOPMENT CODE \ Part 16 ZONING* \ CHAPTER 2. OFFICIAL ZONING MAP AND APPLICATION OF REGULATIONS \ Sec. 16-02.008. Replacement of official zoning map.

If the official zoning map becomes damaged, lost or difficult to interpret by reason of the nature or number of changes, the council may by ordinance authorize a new official zoning map which shall supersede the prior map; provided, however, that if there is uncertainty about the zoning status of any area because of the condition of the map or any part thereof, such action shall take the form of an amendment to the zoning ordinance, and shall resolve the uncertainty.

The new official zoning map may correct drafting or other omissions or errors in the prior map, but no such correction shall have the effect of amendment as to zoning status unless the action adopting such map is an amending action. The new official zoning map shall be authenticated and attested as for the original, with wording indicating when and by what instrument the prior document was adopted.

Unless the prior official zoning map has been lost or wholly destroyed, said documents or any remaining significant parts thereof shall be preserved, together with any significant records pertaining to its adoption or amendment, as a guide to prior zoning status of areas.

(Code 1977, § 16-02.008)

COMMITTEE AMENDMENT FORM

DATE: 06/27/07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #06-O-0777 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING FOUR (4) PAGES OF
CONDITIONS ONE OF WHICH IS A SITE PLAN DATED RECEIVED BY THE
BUREAU OF PLANNING 3/22/07.

AMENDMENT DONE BY COUNCIL STAFF 06/27/07

City Council
Atlanta, Georgia

06-O-0777

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-38
Date Filed: 3-14-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

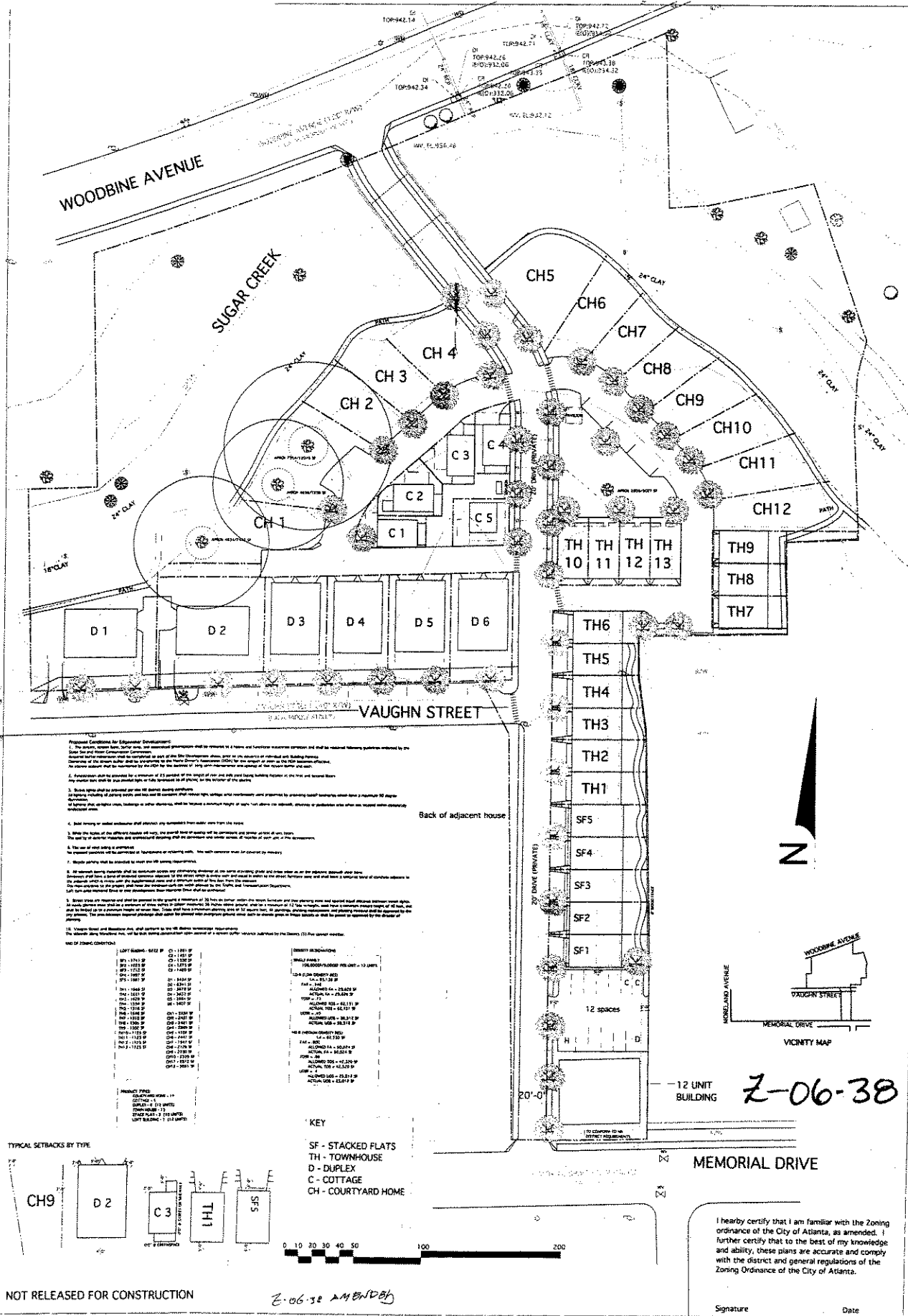
SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at Tract 1-1398-1454 Vaughn Street, S.E. and 1415-1453 Woodbine Avenue, S.E., Tract 2- 1449-145 Vaughn Street and 1454-1458 Memorial Drive, S.E be changed from the R-3 (Single family Residential) to PD-H (Planned Development-Housing) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots 207 and 208, 15th District, Dekalb County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



Conditions for Z-06-38 for
Tract 1-1398-1454 Vaughn Street, S.E. and 1415-1453 Woodbine Avenue, S.E.,
Tract 2- 1449-145 Vaughn Street and 1454-1458 Memorial Drive, S.E.

- Site plan titled “Edgewater Development” dated 3/12/07 and stamped received by the Bureau of Planning on 3/22/07.

- **Development Controls:**

Loft Building:

Setbacks:

Front-to conform to City of Atlanta MR district guidelines

Side and rear-5 feet

Height maximums-52 feet

Allowed number of units-12

Square footage maximum-12,000 square feet

Stacked Flats:

Setbacks:

Rear-5 feet

Front and side-0 feet

Height maximums -52 feet with the additional limitation that no portion of the building will be higher than 35 feet above grade of the adjacent property directly to the west on Vaughn Street as measured at the shared property line.

Allowed number of units-10

Square footage maximum-3,000 square feet

Townhomes:

Setbacks:

Rear-5 feet

Front -0 feet

Side-0 feet

Height maximums -35 feet.

Allowed number of units-13

Square footage maximum-2200 square feet/unit

Duplexes:

Setbacks:

Front-10 feet

Rear-5 feet (in which drives shall be contained)

Side-3 feet

Height maximums -35 feet.

Allowed number of units-12

Square footage maximum-2400 square feet/unit

Cottages:

Setbacks:

Front-3 feet
Side-3 feet (0 feet at street or sidewalk)
Rear-0 feet at greenspace
Height maximums -28 feet.
Allowed number of units-5
Square footage maximum-1200

Single Family:

Setbacks:

Front and Rear- 0 feet
Side-3 feet
Height maximums -35 feet.
Allowed number of units-12
Square footage maximum-2800 sf

- **Street/Sidewalk/Supplemental Zone**

All portions of this property that are adjacent to a public street shall conform to the MR zoning requirement, including, but not limited to, street furniture clear zone, sidewalk clear zone, and supplemental zones.

The developer shall pay for a new sidewalk along Woodbine provided that the ONE (Organized Neighbors of Edgewood) shall work with the developer and the Councilperson for this district to pursue a variance to permit a sidewalk in the stream buffer.

- **Fenestration**

Fenestration shall be provided for a minimum of 25 percent of the length of rear and side yard facing building facades at the first and second floors.

Fenestration shall have a vertical orientation and shall have a height to width ratio of not less than one point six to one (1.6 to 1) and not more than two point four to one (2.4 to 1). Window casing shall not be less than a nominal six (6) inches unless the cladding material is dimensional brick or natural stone veneer where the casing shall not be less than 1". All muntin bars shall be true divided light or fully laminated to all glazing on the exterior of the glazing.

- **Connection of Buildings to Street**

All units with frontage along a public sidewalk will be connected to that public sidewalk by a minimum 5 feet wide sidewalk located on the property.

- **Pedestrian Street Lights**

Street lights are required and shall be provided a maximum of 40 feet on center within the street furniture zone and spaced equal distance between street trees.

- **Materials Requirements**

While the styles of the different houses will vary, the overall level of quality will be consistent and similar across all unit types. The quality of exterior materials and architectural detailing shall be consistent and similar across all facades of each unit in this development.

When any portion of a chimney is visible as a façade element, the chimney shall originate at grade.

Corner boards shall be a minimum of four (4) inches nominal on both sides of a corner.

Frieze and raking Frieze boards shall be a minimum of eight (8) inches nominal.

Columns shall be a minimum of eight (8) minimum nominal.

The use of vinyl shall be prohibited.

False divided lites are also described as lite divisions located between two panes of glass at a window, door, or sidelite without any accompanying exterior lite division grill

No exposed concrete will be permitted at foundations or retaining walls. Any such concrete must be covered by masonry.

- **Lighting**

All lighting including all parking decks and lots and lit canopies shall reduce light spillage onto residentially used properties by providing cutoff luminaries which have a maximum 90 degree illumination.

All lighting that up-lights trees, building or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway, or pedestrian area when not located within completely landscaped areas.

- **Curb Cuts**

All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.

Driveways shall have a band of textured concrete adjacent to the street which is in line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in line with the supplemental zone and a minimum width of five feet from the sidewalk.

The main entrance to the project shall have a minimum curb cut width allowed by the Traffic and Transportation Department.

Left turn onto Memorial Drive or into development from Memorial Drive shall be prohibited.

- **Street Tree Planting**

Street trees are required and shall be planted in the ground a maximum of 40 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights.

All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet and shall be limbed up to minimum height of seven feet.

Trees shall have a minimum planting area of 32 square feet.

All plantings, planting replacement, and planting removal shall be approved by the city arborist.

The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriop spicata or shall be paved as approved by the Director of Planning.

06-0-0777

City Council
Atlanta, Georgia

AN ORDINANCE
BY: CARLA SMITH



Z-06-38
Date Filed: 3-14-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **Tract 1-1398-1454 Vaughn Street, S.E. and 1415-1453 Woodbine Avenue, S.E. and Tract 2- 1449-145 Vaughn Street and 1454-1458 Memorial Drive, S.E.** be changed from the R-5 (Two-family residential) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 207 and 208, 15th District, Dekalb County, Georgia being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL DESCRIPTION
Overall Tract

ALL THAT TRACT or PARCEL OF LAND lying and being in Land Lots 207 & 208 of the 15th Land District, County of DeKalb, State of Georgia, and being more particularly described as follows:

Commencing at the intersection of the east Right-of-Way of Whiteford Avenue and the south 100 foot Right-of-Way of Woodbine Avenue; Thence, along the south 100 foot Right-of-Way of Woodbine avenue a distance of 350 feet, more or less, to a 1/2" iron pin set and the **POINT OF BEGINNING**:

Thence, continuing along said Right-of-Way and along a curve to the left, of which the radius point lies North 17 degrees 26 minutes 08 seconds West, a radial distance of 2,956.37 feet; thence easterly along the arc, through a central angle of 01 degrees 00 minutes 39 seconds, a distance of 52.16 feet; thence continue easterly along said curve through a central angle of 01 degrees 10 minutes 03 seconds, a distance of 60.24 feet; thence continue easterly along said curve through a central angle of 01 degrees 10 minutes 40 seconds, a distance of 60.78 feet; thence continue easterly along said curve through a central angle of 01 degrees 11 minutes 02 seconds, a distance of 61.09 feet; thence continue northeasterly along said curve through a central angle of 01 degrees 11 minutes 59 seconds, a distance of 61.90 feet Thence North 68 degrees 46 minutes 22 seconds East a distance of 66.75 feet to a point;

Thence North 67 degrees 02 minutes 09 seconds East a distance of 62.43 feet to a point;
Thence North 66 degrees 42 minutes 50 seconds East a distance of 24.55 feet to a point;
Thence South 01 degrees 07 minutes 01 seconds East a distance of 96.51 feet to a point;
Thence South 44 degrees 54 minutes 19 seconds East a distance of 41.20 feet to a point;
Thence North 78 degrees 08 minutes 41 seconds East a distance of 79.73 feet to a point;
Thence South 18 degrees 46 minutes 22 seconds East a distance of 121.08 feet to a point;
Thence South 15 degrees 00 minutes 32 seconds West a distance of 26.52 feet to a point;
Thence South 03 degrees 27 minutes 40 seconds West a distance of 37.13 feet to a point;
Thence South 02 degrees 19 minutes 28 seconds East a distance of 83.50 feet to a point;
Thence South 87 degrees 36 minutes 59 seconds West a distance of 52.95 feet to a point;
Thence South 01 degrees 13 minutes 09 seconds East a distance of 68.00 feet to a point;
Thence South 88 degrees 48 minutes 23 seconds West a distance of 108.52 feet to a point;

Thence South 00 degrees 21 minutes 36 seconds East a distance of 30.37 feet to a point;
Thence South 07 degrees 40 minutes 27 seconds East a distance of 39.79 feet to a point;
Thence South 01 degrees 28 minutes 43 seconds East a distance of 150.00 feet to a point;
Thence South 00 degrees 13 minutes 02 seconds East a distance of 151.81 feet to a point;
Thence South 88 degrees 48 minutes 19 seconds West a distance of 50.00 feet to a point;
Thence North 89 degrees 42 minutes 24 seconds West a distance of 47.43 feet to a point;
Thence North 01 degrees 25 minutes 48 seconds West a distance of 148.63 feet to a point;

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Thence North 01 degrees 14 minutes 32 seconds West a distance of 151.26 feet to a point;
Thence North 01 degrees 42 minutes 20 seconds West a distance of 40.01 feet to a point;
Thence South 88 degrees 17 minutes 40 seconds West a distance of 19.00 feet to a point;
Thence South 88 degrees 21 minutes 28 seconds West a distance of 57.71 feet to a point;
Thence South 88 degrees 28 minutes 27 seconds West a distance of 57.39 feet to a point;
Thence South 88 degrees 28 minutes 31 seconds West a distance of 57.52 feet to a point;
Thence South 88 degrees 00 minutes 06 seconds West a distance of 4.92 feet to a point;
Thence South 88 degrees 29 minutes 11 seconds West a distance of 52.47 feet to a point;
Thence South 88 degrees 35 minutes 53 seconds West a distance of 49.97 feet to a point;
Thence South 88 degrees 28 minutes 19 seconds West a distance of 50.02 feet to a point;
Thence North 01 degrees 21 minutes 17 seconds West a distance of 150.00 feet to a point;
Thence North 88 degrees 28 minutes 19 seconds East a distance of 50.02 feet to a point;
Thence North 89 degrees 22 minutes 35 seconds East a distance of 49.97 feet to a point;
Thence North 01 degrees 21 minutes 23 seconds West a distance of 10.00 feet to a point;
Thence South 89 degrees 22 minutes 38 seconds West a distance of 50.00 feet to a point;
Thence North 01 degrees 21 minutes 23 seconds West a distance of 162.23 feet to a point;

Tract described herein containing 245,595.9 square feet, or 5.64 acres of land, more or less, as shown on a survey by Frontline Surveying & Mapping, Inc., dated **/**/**. last revised **/**/**.

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